



United States Attorney
Southern District of New York

MEMORANDUM ENDORSED

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 1, 2020

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By ECF

The Honorable Gregory H. Woods
United States District Judge
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, NY 10007

Re: *United States v. Ernest Washington and Duane Daniels, 20 CR 69 (GHW)*

Dear Judge Woods,

The Government writes on behalf of the defendants who request an adjournment of the conference scheduled for June 2, 2020 for approximately three months, a request to which the Government consents. The Government understands from Mr. Moskowitz and Mr. Lynch that under the current circumstances of the coronavirus pandemic and the attendant precautions in place at the Metropolitan Correctional Center (“MCC”), each of the defendants requires additional time in which to access and review discovery provided to date, only after which do counsel believe it will be possible for them to discuss meaningfully with their clients whether there are any pretrial motions to bring, discussions which counsel believe may best occur with the resumption of in-person legal visits at the MCC. In light of the defendants’ position, the Government agrees with the defendants that it is appropriate to wait to set a motion schedule and in turn a trial date. Finally, with the defendants’ consent, the Government requests respectfully that the Court exclude time under the Speedy Trial Act from June 2, 2020, through the date of any adjournment pursuant to 18 U.S.C. § 3161(h)(7) on the basis that the interests of the public and the defendants in a speedy trial are outweighed here by the interests of the defendants in having the further time that they have requested to access and review discovery with counsel and to determine whether to bring any pretrial motions amidst the circumstances of the ongoing national emergency.

Respectfully submitted,

GEOFFREY S. BERMAN
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cc: Avraham Moskowitz (Counsel to Defendant Ernest Washington) (by ECF)
Steven Lynch (Counsel to Defendant Duane Daniels) (by ECF)

Application granted. The status conference is adjourned to September 9, 2020 at 3:30 p.m. The Court will enter a separate order excluding time through that date.

SO ORDERED
June 2, 2020

GREGORY H. WOODS
United States District Judge